Miscellaneous Docket Sheet

Docket Number: 5 MD 2021

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November 8, 2025



CAPTION

Department of Health,

Plaintiff

٧.

American Lobster, Angelo's Family
Restaurant, Bella Italia Restaurant LLC,
Bing's Diner, Brickerville Family Restaurant,
Cloud Nine Cafe, Dad's Garage Grill & Burger,
Dob-Bros Country Kitchen, Fun Central, Inc.,
Hickory Valley Farm Restaurant, Hometown
Kitchen, Hot Shots, Inc. d/b/a Denny's Lennies,

Keystone Family Restaurant, Mamma's Pizza R&A,

Mandy Jo's Country Corral, Marteen's Family Restaurant, Mountain Shadows Restaurant, Muller's Family Restaurant,

New Holland Coffee Company 2, Park City Diner, Quarryville Family Restaurant, RC's Bar & Grill,

Riley's Restaurant & Pub, Seasons Cafe, The Blue Collar Tavern, Tony's Pizzeria & Restaurant, Villa Schiano, and Yogurtworks,

Defendants

CASE INFORMATION

Initiating Document: Complaint

Case Status: Closed

Case Processing Status: May 21, 2021 Completed

Journal Number: 18-06-2021

Case Category: Miscellaneous Case Type(s): Equity

CONSOLIDATED CASES RELATED CASES

Docket No / Reason Type
667 MD 2020 Related

Same Issue(s)

COUNSEL INFORMATION

Plaintiff Department of Health

Pro Se: No

IFP Status:

Attorney: Giunta, Mary Abbegael
Address: Pa Governor's Ofc Ogc
333 Market St Fl 17

Harrisburg, PA 17101

Phone No: (717) 787-9350 Fax No:

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COUNSEL INFORMATION

Defendant Yogurtworks
Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant Villa Schiano
Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant Tony's Pizzeria & Restaurant

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

040 Lenape Ru

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant The Blue Collar Tavern

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc

646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant Seasons Cafe

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

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COUNSEL INFORMATION

Defendant RC's Bar & Grill

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant New Holland Coffee Company 2

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant Muller's Family Restaurant

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

040 Lenape Ru

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant Marteen's Family Restaurant

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc

646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant Mandy Jo's Country Corral

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

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COUNSEL INFORMATION

Mamma's Pizza R&A Defendant

Pro Se: No

IFP Status:

Attorney: Winter, Eric E. Address: Prince Law Ofcs Pc 646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant Hot Shots, Inc. d/b/a Denny's Lennies

Pro Se: No

IFP Status:

Attorney: Winter, Eric E. Prince Law Ofcs Pc Address: 646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant **Hickory Valley Farm Restaurant**

Pro Se:

IFP Status:

Winter, Eric E. Attorney: Address: Prince Law Ofcs Pc 646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant Fun Central, Inc.

Pro Se: No

IFP Status:

Attorney: Winter, Eric E. Address: Prince Law Ofcs Pc 646 Lenape Rd

Bechtelsville, PA 19505

Phone No: Fax No: (610) 845-3803

Defendant **Dob-Bros Country Kitchen**

Pro Se: No

IFP Status:

Attorney: Winter, Eric E. Address: Prince Law Ofcs Pc 646 Lenape Rd

Bechtelsville, PA 19505

Fax No: Phone No: (610) 845-3803

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COUNSEL INFORMATION

Defendant Cloud Nine Cafe

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant Brickerville Family Restaurant

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant Bing's Diner Pro Se: No

.-- --

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

040 Lenape Ru

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant Angelo's Family Restaurant

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc

646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

Defendant American Lobster

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.

Address: Prince Law Ofcs Pc
646 Lenape Rd

Bechtelsville, PA 19505

Phone No: (610) 845-3803 Fax No:

FEE INFORMATION

 Fee Dt
 Fee Name
 Fee Amt Receipt Dt
 Receipt No
 Receipt Amt

 01/05/2021
 Miscellaneous Docket Filing Fee
 70.25 01/06/2021
 2021-CMW-H-000026
 70.25

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AGENCY/TRIAL COURT INFORMATION

Order Appealed From: Notice of Appeal Filed:

Order Type:

Documents Received: January 5, 2021

Court Below:

Plaintiff

County: Division: Judge: OTN:

Docket Number: Judicial District:

ORIGINAL RECORD CONTENT

Original Record Item Filed Date Content Description

Date of Remand of Record:

BRIEFING SCHEDULE

Department of Health American Lobster

Brief Brief

Due: May 21, 2021 Filed: Due: April 9, 2021 Filed: April 9, 2021

Angelo's Family Restaurant

Brief

Defendant

Due: April 9, 2021 Filed: April 9, 2021

Bing's Diner Brief

Due: April 9, 2021 Filed: April 9, 2021

Brickerville Family Restaurant

Brief

Due: April 9, 2021 Filed: April 9, 2021

Cloud Nine Cafe

Brief

Due: April 9, 2021 Filed: April 9, 2021

Dob-Bros Country Kitchen

Brief

Due: April 9, 2021 Filed: April 9, 2021

Fun Central, Inc.

Brief

Due: April 9, 2021 Filed: April 9, 2021

Hickory Valley Farm Restaurant

Brief

Due: April 9, 2021 Filed: April 9, 2021

Hot Shots, Inc. d/b/a Denny's Lennies

Brief

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BRIEFING SCHEDULE

Defendant

Hot Shots, Inc. d/b/a Denny's Lennies

Brief

Due: April 9, 2021 Filed: April 9, 2021

Mamma's Pizza R&A

Brief

Due: April 9, 2021 Filed: April 9, 2021

Mandy Jo's Country Corral

Brief

Due: April 9, 2021 Filed: April 9, 2021

Marteen's Family Restaurant

Brief

Due: April 9, 2021 Filed: April 9, 2021

Muller's Family Restaurant

Brief

Due: April 9, 2021 Filed: April 9, 2021

New Holland Coffee Company 2

Brief

Due: April 9, 2021 Filed: April 9, 2021

RC's Bar & Grill

Brief

Due: April 9, 2021 Filed: April 9, 2021

Seasons Cafe

Brief

Due: April 9, 2021 Filed: April 9, 2021

The Blue Collar Tavern

Brief

Due: April 9, 2021 Filed: April 9, 2021

Tony's Pizzeria & Restaurant

Brief

Due: April 9, 2021 Filed: April 9, 2021

Villa Schiano

Brief

Due: April 9, 2021 Filed: April 9, 2021

Yogurtworks

Brief

Due: April 9, 2021 Filed: April 9, 2021

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| | | DOCKET ENTRY | | |
|------------------|-------------------------------------|---|----------------------|--------------------|
| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date |
| January 5, 2021 | Complaint Filed | | | |
| | Department of Health | | Plaintiff | |
| anuary 6, 2021 | Notice Exited | | | 01/06/2021 |
| | Commonwealth Court Filing | | | |
| | Office | | | |
| January 15, 2021 | Amended Certificate of Service | | | |
| - | Bedell, Lindsey Allison | Department of Health | Plaintiff | |
| anuary 15, 2021 | Filed - Other | | | |
| • . | Bedell, Lindsey Allison | Department of Health | Plaintiff | |
| Document Name: | Notice of Dismissal | | | |
| anuary 21, 2021 | Order Filed | | | 01/22/2021 |
| | Per Curiam | | | |
| Document Name: | NOW, January 21, 2021, upon cor | nsideration of the Notice of Dismissal file | ed by Petitioner, wl | nerein |
| Comment: | Petitioner states that it withdra | ws all claims against Respondent | Quarryville Family | Restaurant becaus |
| | Respondent has complied with | the requirements imposed by the | Governor's Decer | nber 10, 2020 Orde |
| | the Prothonotary is directed to man | rk this matter closed as to Respondent (| Quarryville Family | Restaurant. |
| ebruary 4, 2021 | Entry of Appearance | | | |
| | Winter, Eric E. | American Lobster | Defendant | |
| | Winter, Eric E. | Angelo's Family Restaurant | Defendant | |
| | Winter, Eric E. | Bing's Diner | Defendant | |
| | Winter, Eric E. | Brickerville Family Restaurant | Defendant | |
| | Winter, Eric E. | Cloud Nine Cafe | Defendant | |
| | Winter, Eric E. | Dob-Bros Country Kitchen | Defendant | |
| | Winter, Eric E. | Fun Central, Inc. | Defendant | |
| | Winter, Eric E. | Hickory Valley Farm Restaurant | Defendant | |
| | Winter, Eric E. | Hot Shots, Inc. d/b/a Denny's Lennie | Defendant | |
| | Winter, Eric E. | Mamma's Pizza R&A | Defendant | |
| | Winter, Eric E. | Mandy Jo's Country Corral | Defendant | |
| | Winter, Eric E. | Marteen's Family Restaurant | Defendant | |
| | Winter, Eric E. | Muller's Family Restaurant | Defendant | |
| | Winter, Eric E. | New Holland Coffee Company 2 | Defendant | |
| | Winter, Eric E. | RC's Bar & Grill | Defendant | |
| | Winter, Eric E. | Seasons Cafe | Defendant | |
| | Winter, Eric E. | The Blue Collar Tavern | Defendant | |
| | Winter, Eric E. | Tony's Pizzeria & Restaurant | Defendant | |
| | Winter, Eric E. | Villa Schiano | Defendant | |
| | Winter, Eric E. | Yogurtworks | Defendant | |
| | WITHOU, LITO L. | rogartiforno | | |

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| November 8, 2025 | | | | | |
|-------------------|---|--------------------------------------|------------------|------------|--|
| | | DOCKET ENTRY | | | |
| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date | |
| February 4, 2021 | Preliminary Objections | | . ,, | | |
| rebluary 4, 2021 | Winter, Eric E. | American Lobster | Defendant | | |
| | Winter, Eric E. | Angelo's Family Restaurant | Defendant | | |
| | Winter, Eric E. | Bing's Diner | Defendant | | |
| | Winter, Eric E. | Brickerville Family Restaurant | Defendant | | |
| | Winter, Eric E. | Cloud Nine Cafe | Defendant | | |
| | Winter, Eric E. | Dob-Bros Country Kitchen | Defendant | | |
| | Winter, Eric E. | Fun Central, Inc. | Defendant | | |
| | Winter, Eric E. | Hickory Valley Farm Restaurant | Defendant | | |
| | Winter, Eric E. | Hot Shots, Inc. d/b/a Denny's Lennie | e Defendant | | |
| | Winter, Eric E. | Mamma's Pizza R&A | Defendant | | |
| | Winter, Eric E. | Mandy Jo's Country Corral | Defendant | | |
| | Winter, Eric E. | Marteen's Family Restaurant | Defendant | | |
| | Winter, Eric E. | Muller's Family Restaurant | Defendant | | |
| | Winter, Eric E. | New Holland Coffee Company 2 | Defendant | | |
| | Winter, Eric E. | RC's Bar & Grill | Defendant | | |
| | Winter, Eric E. | Seasons Cafe | Defendant | | |
| | Winter, Eric E. | The Blue Collar Tavern | Defendant | | |
| | Winter, Eric E. | Tony's Pizzeria & Restaurant | Defendant | | |
| | Winter, Eric E. | Villa Schiano | Defendant | | |
| | Winter, Eric E. | Yogurtworks | Defendant | | |
| Document Name: | Preliminary Objections of Responde | _ | | | |
| February 17, 2021 | Order Filed | | | 02/18/2021 | |
| | Per Curiam | | | | |
| Document Name: | Order Changing Caption | | | | |
| Comment: | NOW, February 17, 2021, upon review of the document that initiated this action, and it appearing that the Commonwealth of Pennsylvania, Department of Health, is the party seeking relief, the "Petition for Reviewing the Nature of a Complaint in Equity" shall be docketed as a Complaint filed in this Court's original jurisdiction. See 42 Pa. C.S. § 761(a). This matter shall proceed in accordance with the Pennsylvania Rules of Civil Procedure. The Prothonotary shall amend the caption as reflected above. | | | | |
| March 8, 2021 | Answer to Preliminary Objections | | | | |
| | Bedell, Lindsey Allison | Department of Health | Plaintiff | | |
| Document Name: | Response to Preliminary Objections | · · · · · | | | |
| March 10, 2021 | Order Filed Per Curiam | | | 03/10/2021 | |
| Document Name | Order Setting Briefing Schedule | | | | |
| | NOW, March 10, 2021, upon consideration, Defendants' brief in support of their Preliminary Objections (4 copies) shall be filed and served no later than April 9, 2021. Plaintiff's brief in opposition to Defendants' Preliminary Objections (4 copies) shall be filed and served within 30 days after service of Defendants' brief. Any reply brief (4 copies) shall be filed and served in accordance with Pa.R.A.P. 2185. The Prothonotary shall list Defendants' preliminary objections to Plaintiff's Complaint for oral argument on the next appropriate argument list. | | | | |
| March 31, 2021 | Tentative Session Date | | | | |
| , | Krimmel, Michael | | | | |
| | June 2021 | | | | |

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Docket Number: 5 MD 2021

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November 8, 2025



| | | DOCKET ENTRY | | | |
|------------------|--|--|--------------------------|------------|--|
| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date | |
| April 9, 2021 | Defendant's Brief Filed | | | | |
| | American Lobster | | Defendant | | |
| | Angelo's Family Restaurant | | Defendant | | |
| | Bing's Diner | | Defendant | | |
| | Brickerville Family Restaurant | | Defendant | | |
| | Cloud Nine Cafe | | Defendant | | |
| | Hot Shots, Inc. d/b/a Denny's | | Defendant | | |
| | Lennies | | | | |
| | Dob-Bros Country Kitchen | | Defendant | | |
| | Fun Central, Inc. | | Defendant | | |
| | Hickory Valley Farm Restaurant | | Defendant | | |
| | Mamma's Pizza R&A | | Defendant | | |
| | Mandy Jo's Country Corral | | Defendant | | |
| | Marteen's Family Restaurant | | Defendant | | |
| | Muller's Family Restaurant | | Defendant | | |
| | New Holland Coffee Company 2 | | Defendant | | |
| | RC's Bar & Grill | | Defendant | | |
| | Seasons Cafe | | Defendant | | |
| | The Blue Collar Tavern | | Defendant | | |
| | Tony's Pizzeria & Restaurant | | Defendant | | |
| | Villa Schiano | | Defendant | | |
| 5 (1) | Yogurtworks | | Defendant | | |
| Document Name: | Brief in Support of POs | | | | |
| April 12, 2021 | Entry of Appearance | | | | |
| | Giunta, Mary Abbegael | Department of Health | Plaintiff | | |
| Document Name: | Atty. Giunta for Department of Heal | th ———————————————————————————————————— | | | |
| April 23, 2021 | Praecipe for Withdrawal of Appeara | | | | |
| | Bedell, Lindsey Allison | Department of Health | Plaintiff | | |
| Document Name: | of Lindsey Bedell, Esq. on behalf of | the Department of Health | | | |
| May 7, 2021 | Application for Extension of Time to | File Brief - First Request | | | |
| | Giunta, Mary Abbegael | Department of Health | Plaintiff | | |
| | Department of Health | | Plaintiff | | |
| May 7, 2021 | Argument Scheduled | | | | |
| , ., _v | Krimmel, Michael | | | | |
| Document Name: | MONDAY, June 7, 2021 (Panel 2) (| @9:30 a.m. via WebEx Video Conf | ference (No. 18 on the I | ist) | |
| May 11, 2021 | Order Granting Application for Exter | nsion of Time to File Brief | | 05/11/2021 | |
| ····· , | Per Curiam | | | | |
| Document Name: | Brief Ext. Granted | | | | |
| | NOW, May 11, 2021, upon consideration of the Unopposed Application for Enlargement of Time to File | | | | |
| | Brief (Application), filed by Plaint | The state of the s | | | |
| | copies) shall be filed on or before | • | • • | | |
| | 28, 2021. | | | | |
| | Praecipe for Discontinuance | | | | |
| May 21, 2021 | riaecipe ioi Discontinuance | | | | |

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Docket Number: 5 MD 2021

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| | DOOKLI LITIKI | | | |
|----------------------|---------------|--|--|--|
| Docket Entry / Filer | Representing | Participant Type | Exit Date | |
| Discontinued | | | 05/25/2021 | |
| | Discontinued | Docket Entry / Filer Representing Discontinued | Docket Entry / Filer Representing Participant Type Discontinued | Docket Entry / Filer Representing Participant Type Exit Date |

DOCKET ENTRY

Per Curiam

Document Name: Case Discontinued

Comment: NOW, May 25, 2021, upon consideration of Plaintiff's Notice of Discontinuance pursuant to Pa.R.C.P. No. 229, the Prothonotary is directed to mark this matter as discontinued and ended.

preliminary objections before a panel of judges scheduled for June 7, 2021, at 9:30 a.m., by WebEx

videoconference is hereby cancelled.

SESSION INFORMATION

Journal Number: 18-06-2021

Consideration Type: Oral Argument - Panel

Listed/Submitted Date: June 7, 2021

DISPOSITION INFORMATION

Final Disposition: Yes

Related Journal No: Judgment Date:

Disposed Before Decision Per Curiam Category: Disposition Author: Discontinued Disposition: Disposition Date: May 25, 2021

Disposition Comment: NOW, May 25, 2021, upon consideration of Plaintiff's Notice of Discontinuance pursuant to Pa.R.C.P.

No. 229, the Prothonotary is directed to mark this matter as discontinued and ended. Oral argument on preliminary objections before a panel of judges scheduled for June 7, 2021, at 9:30 a.m., by WebEx

videoconference is hereby cancelled.

Dispositional Filing:

Filed Date:

Filing Author: